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Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda item 1
Organizational and procedural matters

Agenda and annotations

Agenda

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Annotations

1. Organizational and procedural matters

Date and venue of the session

1. In accordance with its annual programme of work, as considered on 4 December 2017 at the organizational session for its twelfth cycle, the Human Rights Council will hold its thirty-eighth session from 18 June to 6 July 2018 at the United Nations Office at Geneva.

2. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in section VII of the annex to Council resolution 5/1, the organizational meeting for the thirty-eighth session will be held on 4 June 2018.

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Agenda of the session

3. The agenda of the Human Rights Council is contained in section V of the annex to Council resolution 5/1. The Council will have before it the present annotations relating to items included in the agenda for the thirty-eighth session.

Composition of the Human Rights Council

4. The composition of the Human Rights Council at its thirty-eighth session is as follows:[1] Afghanistan (2020); Angola (2020); Australia (2020); Belgium (2018); Brazil (2019); Burundi (2018); Chile (2020), China (2019); Côte d'Ivoire (2018); Croatia (2019); Cuba (2019); Democratic Republic of the Congo (2020); Ecuador (2018); Egypt (2019); Ethiopia (2018); Georgia (2018); Germany (2018); Hungary (2019); Iraq (2019); Japan (2019); Kenya (2018); Kyrgyzstan (2018); Mexico (2020); Mongolia (2018); Nepal (2020); Nigeria (2020); Pakistan (2020); Panama (2018); Peru (2020); Philippines (2018); Qatar (2020); Republic of Korea (2018); Rwanda (2019); Saudi Arabia (2019); Senegal (2020); Slovakia (2020); Slovenia (2018); South Africa (2019); Spain (2020); Switzerland (2018); Togo (2018); Tunisia (2019); Ukraine (2020); United Arab Emirates (2018); United Kingdom of Great Britain and Northern Ireland (2019); United States of America (2019); and Venezuela (Bolivarian Republic of) (2018).

Bureau of the Human Rights Council

5. At its organizational session, held on 4 December 2017, and its organizational meeting, held on 10 January 2018, the Human Rights Council elected the following members of the Bureau for its twelfth cycle, which will run from 1 January to 31 December 2018:

President	Vojislav Šuc (Slovenia)
Vice-Presidents	Antje Leendertse (Germany)
	Evan P. Garcia (Philippines)
	François Xavier Ngarambé (Rwanda)
Vice-President and Rapporteur	Marta Maurás (Chile)

Selection and appointment of mandate holders

6. In accordance with paragraph 47 of the annex to Human Rights Council resolution 5/1 and the requirements set out in Council decision 6/102, the consultative group, which, for the period from 1 April 2018 to 31 March 2019, is composed of Negash Kebret Botora (Ethiopia), Victor Arturo Cabrera Hidalgo (Ecuador), Kok Jwee Foo (Singapore), Vaqif Sadiqov (Azerbaijan) and Aviva Raz Shechter (Israel), will propose to the President of the Council a list of candidates for the mandates of: Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; two members of the Working Group on the issue of human rights and transnational corporations and other business enterprises, respectively from African States and Eastern European States; and a member of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, from Western European and other States.

7. In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Human Rights Council resolution 5/1, the appointment of special procedure mandate holders will be completed upon the subsequent approval by the Council. The mandate holders in question will be appointed before the end of the thirty-eighth session.

[1] The term of membership of each State expires at the end of the year indicated in parentheses.

Report of the session

8. At the end of its thirty-eighth session, the Human Rights Council will have before it for adoption a draft report prepared by the Rapporteur. It will contain a technical summary of the proceedings of the session.

2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

9. All reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner for Human Rights (OHCHR) and the Secretary-General are submitted under agenda item 2, which remains an open-ended item throughout the session. These reports will be considered under the relevant agenda items, as appropriate. The specific timing of their introduction will be reflected in the programme of work.

Violence against women

10. Reference is made to the report on the activities of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (A/HRC/38/3–E/CN.6/2018/9) (see para. 47 below).

11. Reference is made to the report of the High Commissioner on promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality (A/HRC/38/24) (see para. 48 below).

Mission by OHCHR to improve the human rights situation and accountability in Burundi

12. In its resolution 36/2, the Human Rights Council requested OHCHR to urgently dispatch a team of three experts to engage with the Burundian authorities and all other stakeholders, in particular United Nations agencies and the African Union, to collect and preserve information, to determine the facts and circumstances in accordance with international standards and practice, in cooperation with the Government of Burundi, and to forward to the judicial authorities of Burundi such information in order to establish the truth and ensure that the perpetrators of deplorable crimes are all accountable to the judicial authorities of Burundi; and to make recommendations for technical assistance and capacity-building and ways of improving the situation of human rights in the country with a view to providing support to the country in fulfilling its human rights obligations, ensuring accountability and combating impunity. Pursuant to the same resolution, the Council will hear the oral briefing by the High Commissioner on the mission of OHCHR.

Situation of human rights of Rohingya Muslims and other minorities in Myanmar

13. In its resolution S-27/1, adopted at its twenty-seventh special session on the situation of human rights of the minority Rohingya Muslim population and other minorities in Rakhine State of Myanmar, held on 5 December 2017, the Human Rights Council requested the High Commissioner to track progress concerning the human rights situation of Rohingya people, and to provide an oral update, followed by an interactive dialogue, at its thirty-eighth session. Accordingly, the Council will hold an interactive dialogue on the oral update by the High Commissioner.

Child, early and forced marriage in humanitarian settings

14. Reference is made to the oral update by the High Commissioner on child, early and forced marriage with a focus on humanitarian settings (see para. 39 below).

Human rights and climate change

15. Reference is made to the report of OHCHR on addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change (A/HRC/38/21) (see para. 59 below).

Right of everyone to the enjoyment of the highest attainable standard of physical and mental health

16. Reference is made to the report of the High Commissioner on contributions of the right to health framework to the effective implementation and achievement of the health-related Sustainable Development Goals (A/HRC/38/37) (see para. 32 below).

Human rights and indigenous peoples

17. Reference is made to the summary report of OHCHR on the annual half-day panel discussion on the rights of indigenous peoples (A/HRC/38/23) (see para. 41 below).

Local government and human rights

18. Reference is made to the summary report of the High Commissioner on the panel discussion on the role of local government in the promotion and protection of human rights (A/HRC/38/22) (see para. 56 below).

Seventieth anniversary of the Universal Declaration of Human Rights and twenty-fifth anniversary of the Vienna Declaration and Programme of Action

19. Reference is made to the summary report of OHCHR on the high-level panel discussion on the seventieth anniversary of the Universal Declaration of Human Rights and the twenty-fifth anniversary of the Vienna Declaration and Programme of Action (A/HRC/38/19) (see para. 58 below).

The human rights situation in the Syrian Arab Republic

20. Reference is made to the summary report of OHCHR on the high-level panel discussion on violations of the human rights of children in the Syrian Arab Republic (A/HRC/38/29) (see para. 61 below).

Contribution of parliaments to the work of the Human Rights Council and its universal periodic review

21. Reference is made to the study of OHCHR on how to promote and enhance synergies between parliaments and the work of the Council and its universal periodic review (A/HRC/38/25) (see para. 67 below).

22. Reference is also made to the update by the High Commissioner on the parliamentary capacity-building and awareness-raising activities carried out by OHCHR in cooperation and coordination with the Inter-Parliamentary Union (see para. 68 below).

Operations of the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review

23. Reference is made to the reports of OHCHR on the operations of the Voluntary Fund for Participation in the Universal Periodic Review (A/HRC/38/26) and on the operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review (A/HRC/38/27) (see para. 72 below).

Civil society space

24. Reference is made to the report of the High Commissioner on procedures and practices in respect of civil society engagement (A/HRC/38/18) (see para. 40 below).

Business and human rights

25. Reference is made to the report of the High Commissioner on the effectiveness of State-based non-judicial mechanisms that are relevant for the respect by business enterprises for human rights, including in a cross-border context (A/HRC/38/20) (see para. 55 below).

Enhancement of technical cooperation and capacity-building in the field of human rights

26. Reference is made to the report of OHCHR on how United Nations human rights bodies and mechanisms and United Nations country teams and agencies can support States in the realization of the 2030 Agenda for Sustainable Development, which will inform the annual thematic discussion on technical cooperation in the promotion and protection of human rights (A/HRC/38/28) (see para. 77 below and annex).

Technical assistance to the Democratic Republic of the Congo and accountability concerning the events in the Kasai regions

27. Reference is made to the enhanced interactive dialogue on the report of the High Commissioner on the findings of the team of international experts on the situation in the Kasai regions of the Democratic Republic of the Congo (A/HRC/38/31) and on the oral update by OHCHR on the situation of human rights in the Democratic Republic of the Congo (see para. 78 below).

Cooperation with and assistance to Ukraine in the field of human rights

28. Reference is made to the oral presentation by the High Commissioner on the situation of human rights in Ukraine (see para. 79 below).

Cooperation with Georgia

29. Reference is made to the oral update by the High Commissioner on the follow-up to Council resolution 37/40 (see para. 82 below).

Situation of human rights in Haiti

30. Reference is made to the report of the High Commissioner on the development of a national plan of action to implement recommendations of human rights mechanisms in Haiti (A/HRC/38/30) (see para. 81 below).

3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Economic, social and cultural rights

Right of everyone to the enjoyment of the highest attainable standard of physical and mental health

31. In its resolution 33/9, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health for a further period of three years, and requested the Special Rapporteur to submit an annual report to the Council covering all activities relating to the mandate. Accordingly, the Council will consider the report of the mandate holder, Dainius Pūras (A/HRC/38/36 and Add.1–2).

32. In its resolution 35/23, the Council requested the High Commissioner to prepare a report that presents contributions of the right to health framework to the effective implementation and achievement of the health-related Sustainable Development Goals, identifying best practices, challenges and obstacles thereto, and to submit it to the Council at its thirty-eighth session. Accordingly, the Council will consider the report of the High Commissioner (A/HRC/38/37) (see para. 16 above).

Right to education

33. In its resolution 35/2, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the right to education for a period of three years, and requested the Special Rapporteur to take fully into account, in the discharge of the mandate, all provisions of Council resolutions on the right to education. The Council will consider the report of the mandate holder, Koumbou Boly Barry (A/HRC/38/32 and Add.1).

Extreme poverty and human rights

34. In its resolution 35/19, the Human Rights Council decided to extend, for a period of three years, the mandate of the Special Rapporteur on extreme poverty and human rights, as set out in Council resolution 8/11, and requested the Special Rapporteur to submit an annual report on the implementation of its resolution 35/19. Accordingly, the Council will consider the report of the mandate holder, Philip Alston (A/HRC/38/33 and Add.1).

Civil and political rights

Independence of judges and lawyers

35. In its resolution 35/11, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the independence of judges and lawyers for a period of three years, on the same terms as provided by the Council in its resolution 26/7. Accordingly, the Council will consider the report of the mandate holder, Diego García-Sayán (A/HRC/38/38 and Add.1).

Rights to freedom of peaceful assembly and of association

36. In its resolution 32/32, the Human Rights Council decided to renew the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association for a period of three years, and requested the Special Rapporteur to continue to report annually to the Council. The Council will consider the report of the new mandate holder, Clément Nyaletsossi Voule (A/HRC/38/34).

Extrajudicial, summary or arbitrary executions

37. In its resolution 35/15, the Human Rights Council decided to extend the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions for three years, and requested the Special Rapporteur, in carrying out the mandate, to continue to examine situations of extrajudicial, summary or arbitrary executions in all circumstances and for whatever reason, and to submit her findings on an annual basis, together with conclusions and recommendations. Accordingly, the Council will consider the report of the mandate holder, Agnès Callamard (A/HRC/38/44 and Add.1–2).

Freedom of opinion and expression

38. In its resolution 34/18, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression for a further period of three years, and requested the Special Rapporteur to submit an annual report to the Council covering all activities relating to the mandate. Accordingly, the Council will consider the report of the mandate holder, David Kaye (A/HRC/38/35 and Add.1).

Rights of peoples, and of specific groups and individuals

Child, early and forced marriage in humanitarian settings

39. In its resolution 35/16, the Human Rights Council requested the High Commissioner to provide a written report, with input from all relevant stakeholders, on child, early and forced marriage with a focus on humanitarian settings to the Council at its forty-first session, and an oral update thereon at its thirty-eighth session. Accordingly, the Council will hear the oral update by the High Commissioner (see para. 14 above).

Civil society space

40. In its resolution 32/31, the Human Rights Council requested the High Commissioner to prepare a report compiling information on the procedures and practices in respect of civil society involvement with regional and international organizations, including United Nations bodies, agencies, funds and programmes, and the contribution of civil society to their work and challenges and best practices, and to submit the compilation to the Council

at its thirty-eighth session. Accordingly, the Council will have before it the report of the High Commissioner (A/HRC/38/18) (see para. 24 above).

Human rights and indigenous peoples

41. Pursuant to its resolution 33/13, the Human Rights Council will have before it the summary report of OHCHR on the annual half-day panel discussion on the commemoration of the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, with a special focus on challenges and good practices in achieving the ends of the Declaration, held at its thirty-sixth session (A/HRC/38/23) (see para. 17 above).

Human rights of migrants

42. In its resolution 34/21, the Human Rights Council decided to extend for a period of three years the mandate of the Special Rapporteur on the human rights of migrants. Accordingly, the Council will consider the report of the new mandate holder, Felipe González Morales (A/HRC/38/41 and Add.1).

Protection against violence and discrimination based on sexual orientation and gender identity

43. In its resolution 32/2, the Human Rights Council decided to appoint, for a period of three years, an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, and requested the Independent Expert to report annually to the Council. Accordingly, the Council will consider the report of the new mandate holder, Victor Madrigal-Borloz (A/HRC/38/43 and Add.1).

Human rights of internally displaced persons

44. Pursuant to its decision 35/101, the Human Rights Council will convene, at its thirty-eighth session, a panel discussion on the human rights of internally displaced persons, in commemoration of the twentieth anniversary of the Guiding Principles on Internal Displacement, with a particular focus on their application and on achievements, best practices and challenges in this regard, as well as on recommendations to meet these challenges (see annex).

45. In its resolution 32/11, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the human rights of internally displaced persons for a period of three years, and requested the Special Rapporteur to continue to submit annual reports on the implementation of the mandate to the Council. Accordingly, the Council will consider the report of the mandate holder, Cecilia Jimenez-Damary (A/HRC/38/39 and Add.1–3).

Violence against women

46. In its resolution 32/19, the Human Rights Council decided to extend the mandate of the Special Rapporteur on violence against women, its causes and consequences, as set out in its resolution 23/25, for a period of three years. Accordingly, the Council will consider the report of the mandate holder, Dubravka Šimonović (A/HRC/38/47 and Add.1–2).

47. Pursuant to General Assembly resolution 50/166, the Human Rights Council will have before it the report of the United Nations Entity for Gender Equality and the Empowerment of Women on the activities of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (A/HRC/38/3–E/CN.6/2018/9) (see para. 10 above).

48. In its resolution 35/10, the Human Rights Council requested the High Commissioner to prepare a report to review promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality, in particular efforts to challenge gender stereotypes and the negative social norms, attitudes and behaviours that underlie and perpetuate violence against women and girls, and to make recommendations for further action by States and the international community in this regard. Accordingly, the Council will consider the report of the High Commissioner (A/HRC/38/24) (see para. 11 above).

Elimination of discrimination against women

49. In its resolution 6/30, the Human Rights Council decided to incorporate into its programme of work sufficient and adequate time, at minimum an annual full-day meeting, to discuss the human rights of women, including measures that can be adopted by States and other stakeholders to address human rights violations experienced by women. The Council will accordingly hold a full-day discussion thereon (see annex).

50. In its resolution 32/4, the Human Rights Council decided to extend the mandate of the Working Group on the issue of discrimination against women in law and in practice for a period of three years, on the same terms as provided for in its resolution 23/7. Accordingly, the Council will consider the report of the Working Group (A/HRC/38/46 and Add.1–2).

Trafficking in persons, especially women and children

51. In its resolution 35/5, the Human Rights Council decided to extend the mandate of the Special Rapporteur on trafficking in persons, especially women and children, for a period of three years. Accordingly, the Council will consider the report of the mandate holder, Maria Grazia Giammarinaro (A/HRC/38/45 and Add.1).

Elimination of discrimination against persons affected by leprosy and their family members

52. In its resolution 35/9, the Human Rights Council decided to appoint, for a period of three years, a Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members. Pursuant to the same resolution, the Council will consider the annual report of the new mandate holder, Alice Cruz (A/HRC/38/42).

Interrelation of human rights and human rights thematic issues

Business and human rights

53. In its resolution 35/7, the Council decided to extend the mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises, as set out in Council resolution 17/4, for a period of three years. Accordingly, the Council will consider the report of the Working Group (A/HRC/38/48 and Add.1–4).

54. Reference is also made to the report of the Working Group on the sixth session of the Forum on Business and Human Rights (A/HRC/38/49) (see para. 66 below).

55. Pursuant to its resolution 32/10, the Council will consider the report of the High Commissioner on lessons learned, best practices, challenges and possibilities to improve the effectiveness of State-based non-judicial mechanisms that are relevant for the respect by business enterprises for human rights, including in a cross-border context (A/HRC/38/20) (see para. 25 above).

Local government and human rights

56. Pursuant to its resolution 33/8, the Human Rights Council will have before it the summary report of the High Commissioner on the panel discussion on the role of local government in the promotion and protection of human rights, held on 4 September 2017 (A/HRC/38/22) (see para. 18 above).

Human rights and international solidarity

57. Pursuant to its resolution 35/3, the Human Rights Council will consider the report of the new Independent Expert on human rights and international solidarity, Obiora C. Okafor (A/HRC/38/40 and Add.1).

Seventieth anniversary of the Universal Declaration of Human Rights and twenty-fifth anniversary of the Vienna Declaration and Programme of Action

58. Pursuant to its resolution 35/1, the Human Rights Council will have before it the summary report of OHCHR on the high-level panel discussion on the seventieth

anniversary of the Universal Declaration of Human Rights and the twenty-fifth anniversary of the Vienna Declaration and Programme of Action, held at its thirty-seventh session (A/HRC/38/19) (see para. 19 above).

Human rights and climate change

59. Pursuant to its resolution 35/20, the Human Rights Council will consider the report of OHCHR on the research on addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the sudden-onset and slow-onset adverse effects of climate change and the necessary means of implementation of adaptation and mitigation plans of developing countries to bridge the protection gaps (A/HRC/38/21) (see para. 15 above).

4. Human rights situations that require the Council's attention

The human rights situation in the Syrian Arab Republic

60. In its resolution 37/1, the Council requested the Independent International Commission of Inquiry on the Syrian Arab Republic, upon renewal of its mandate, to urgently conduct a comprehensive and independent inquiry into the recent events in Eastern Ghouta, and to provide an update followed by an interactive dialogue on the situation at its thirty-eighth session. In its resolution 37/29, the Council also decided to extend for one year the mandate of the Commission, and requested it to provide an oral update to the Council at its thirty-eighth session. Accordingly, the Council will hold an interactive dialogue on the updates by the Commission.

61. Pursuant to its resolution 36/20, the Human Rights Council will have before it the summary report of OHCHR on the high-level panel discussion on violations of the human rights of children in the Syrian Arab Republic, held at its thirty-seventh session (A/HRC/38/29) (see para. 20 above).

Situation of human rights in Eritrea

62. In its resolution 35/35, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requested the mandate holder to submit and present a written report to the Council at its thirty-eighth session. Accordingly, the Council will consider the report of the mandate holder, Sheila Keetharuth (A/HRC/38/50).

Situation of human rights in Belarus

63. In its resolution 35/27, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requested the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Council at its thirty-eighth session. Accordingly, the Council will consider the report of the mandate holder, Miklós Haraszti (A/HRC/38/51).

Situation of human rights in Burundi

64. In its resolution 36/19, the Human Rights Council decided to extend for a period of one year the mandate of the Commission of Inquiry on Burundi, and requested the Commission to present an oral briefing to the Council at its thirty-eighth session. Accordingly, the Council will hear the oral briefing by the Commission.

Situation of human rights in Myanmar

65. In its resolution 37/32, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in Myanmar for a further period of one year and requested the Special Rapporteur to present an oral progress report to the Council at its thirty-eighth session. The Council will hear the oral report of the mandate holder, Yanghee Lee.

5. Human rights bodies and mechanisms

Forum on Business and Human Rights

66. In its resolution 17/4, the Human Rights Council decided to establish a Forum on Business and Human Rights under the guidance of the Working Group on the issue of human rights and transnational corporations and other business enterprises to discuss trends and challenges in the implementation of the Guiding Principles on Business and Human Rights and to promote dialogue and cooperation on issues linked to business and human rights, including challenges faced in particular sectors, operational environments or in relation to specific rights or groups, as well as identifying good practices. In its resolution 35/7, the Council decided that the Working Group should guide the work of the Forum and prepare its annual meetings, and invited the Working Group to chair the Forum and to submit a report on the proceedings and thematic recommendations of the Forum to the Council for its consideration. The Council will have before it the report of the Working Group on the sixth session of the Forum, held from 27 to 29 November 2017 (A/HRC/38/49) (see para. 54 above).

Contribution of parliaments to the work of the Human Rights Council and its universal periodic review

67. Pursuant to its resolution 35/29, the Human Rights Council will consider the study of OHCHR on how to promote and enhance synergies between parliaments and the work of the Council and its universal periodic review (A/HRC/38/25) (see para. 21 above).

68. Pursuant to the same resolution, the Council will hear the update by the High Commissioner on the parliamentary capacity-building and awareness-raising activities carried out by OHCHR in cooperation and coordination with the Inter-Parliamentary Union, and on related activities with regard to the work of the Council and its universal periodic review (see para. 22 above).

Special procedures

69. The Human Rights Council will have before it the communications report of special procedures (A/HRC/38/54).

6. Universal periodic review

70. In its resolution 5/1, the Human Rights Council established the universal periodic review mechanism as contained in section I of the annex to that resolution. The Working Group on the Universal Periodic Review held its twenty-ninth session from 15 to 26 January 2018. At its thirty-eighth session, the Council will consider and adopt the final outcomes of the review of France (A/HRC/38/4), Tonga (A/HRC/38/5), Romania (A/HRC/38/6), Mali (A/HRC/38/7), Botswana (A/HRC/38/8), the Bahamas (A/HRC/38/9), Burundi (A/HRC/38/10), Luxembourg (A/HRC/38/11), Barbados (A/HRC/38/12), Montenegro (A/HRC/38/13), the United Arab Emirates (A/HRC/38/14), Israel (A/HRC/38/15), Liechtenstein (A/HRC/38/16) and Serbia (A/HRC/38/17).

71. Pursuant to the Human Rights Council President's statement 9/2 on modalities and practices for the universal periodic review process, the outcomes of the review are adopted by the Council at its plenary session by a standardized decision. The outcomes comprise the report of the Working Group, the views of the State under review concerning the recommendations and/or conclusions, and the voluntary commitments made and replies presented by the State under review, before the adoption of the outcome by the plenary, to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

Operations of the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review

72. In its decision 17/119, the Human Rights Council requested OHCHR to provide an annual written update to the Council on the operations of the Voluntary Fund for

Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review and the resources available thereto. Accordingly, the Council will have before it the reports of OHCHR (A/HRC/38/26 and 27) (see para. 23 above).

7. Human rights situation in Palestine and other occupied Arab territories

73. No reports are to be submitted under agenda item 7 at the thirty-eighth session.

8. Follow-up to and implementation of the Vienna Declaration and Programme of Action

74. No reports are to be submitted under agenda item 8 at the thirty-eighth session.

9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Racism, racial discrimination, xenophobia and related intolerance

75. In its resolution 34/35, the Human Rights Council decided to renew the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a further period of three years, and requested the Special Rapporteur to submit an annual report to the Council on all activities relating to the mandate. Accordingly, the Council will consider the report of the new mandate holder, E. Tendayi Achiume (A/HRC/38/52).

Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

76. In its resolution 72/156, the General Assembly requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to prepare, for submission to the Human Rights Council at its thirty-eighth session, a report on the implementation of that resolution. Accordingly, the Council will consider the report of the Special Rapporteur (A/HRC/38/53).

10. Technical assistance and capacity-building

Enhancement of technical cooperation and capacity-building in the field of human rights

77. In its resolution 18/18, the Human Rights Council decided to hold an annual thematic discussion to promote the sharing of experiences and best practices and technical cooperation in the promotion and protection of human rights. Pursuant to its resolution 36/28, the Council will hold its annual thematic panel discussion at its thirty-eighth session on the theme "Human rights and the Sustainable Development Goals: enhancing human rights technical cooperation and capacity-building to contribute to the effective and inclusive implementation of the 2030 Agenda for Sustainable Development". Pursuant to the same resolution, the annual thematic discussion will be informed by the report of OHCHR on how United Nations human rights bodies and mechanisms, including the Council, the universal periodic review, the special procedures and the treaty bodies, and United Nations country teams and agencies can, through effective, coherent and coordinated technical assistance and capacity-building in the promotion and protection of human rights, support States in the realization of the 2030 Agenda (A/HRC/38/28) (see para. 26 above and annex).

Technical assistance to the Democratic Republic of the Congo and accountability concerning the events in the Kasai regions

78. In its resolution 35/33, the Human Rights Council requested the High Commissioner to dispatch a team of international experts, including experts from the region, to collect and preserve information, to determine the facts and circumstances in accordance with international standards and practice, and while ensuring the protection of all persons who

will cooperate with the team, in cooperation with the Government of the Democratic Republic of the Congo, including by facilitating visits and access to the country, sites and persons, concerning alleged human rights violations and abuses, and violations of international humanitarian law in the Kasai regions, and to forward to the judicial authorities of the Democratic Republic of the Congo the conclusions of this investigation in order to establish the truth and to ensure that the perpetrators of deplorable crimes are all accountable to the judicial authorities of the Democratic Republic of the Congo. In the same resolution, the Council requested the High Commissioner to present a comprehensive report with the team's findings, and to invite the team to participate in an interactive dialogue at its thirty-eighth session. In its resolution 36/30, the Council requested OHCHR to give an oral update on the situation of human rights in the Democratic Republic of the Congo to the Council at its thirty-eighth session, in an enhanced interactive dialogue. Accordingly, the Council will hold an enhanced interactive dialogue on the report of the High Commissioner and the oral update by OHCHR (A/HRC/38/31) (see para. 27 above).

Cooperation with and assistance to Ukraine in the field of human rights

79. In its resolution 35/31, the Human Rights Council invited the High Commissioner to continue to present orally to the States members of the Council and observers the findings of each of the reports of OHCHR on the situation of human rights in Ukraine, as part of the interactive dialogues, until the forty-first session of the Council. Accordingly, the Council will hear the oral presentation by the High Commissioner (see para. 28 above).

Technical assistance and capacity-building in the field of human rights in the Central African Republic

80. In its resolution 36/25, the Human Rights Council requested the Independent Expert on the situation of human rights in the Central African Republic to provide an oral update on her report on technical assistance and capacity-building in the field of human rights in the Central African Republic at its thirty-eighth session. Accordingly, the Council will hear the oral update by the Independent Expert, Marie-Thérèse Keita Bocoum.

Situation of human rights in Haiti

81. In its President's statement 34/1, the Human Rights Council requested the Government of Haiti, with the assistance of OHCHR, the special procedures and the Interministerial Human Rights Committee, and in close consultation with civil society, the Office of the Ombudsman and other stakeholders, to prepare a plan of action to implement the recommendations made by human rights mechanisms, including those made in the context of the universal periodic review and by the Independent Expert, to establish a national reporting and follow-up mechanism on the fulfilment of targets and indicators related to technical assistance programmes, to establish a timetable for achieving the objectives set and to identify the resources required in order to implement this plan. In the same resolution, the Council requested the High Commissioner to submit a written report at its thirty-eighth session, in the context of an interactive dialogue. Accordingly, the Council will consider the report of the High Commissioner (A/HRC/38/30) (see para. 30 above).

Cooperation with Georgia

82. In its resolution 37/40, the Human Rights Council requested the High Commissioner to continue to provide technical assistance through his office in Tbilisi, and to present to the Council an oral update on the follow-up to that resolution at its thirty-eighth session. Accordingly, the Council will hear the oral update by the High Commissioner (see para. 29 above).

Annex

Panels and discussions to be held at the thirty-eighth session of the Human Rights Council

Resolution/decision	*Panel discussion*
Resolution 6/30 Integrating the human rights of women throughout the United Nations system	Annual full-day discussion on the human rights of women
Decision 35/101 Panel discussion on the human rights of internally displaced persons in commemoration of the twentieth anniversary of the Guiding Principles on Internal Displacement	Panel discussion on the human rights of internally displaced persons (accessible to persons with disabilities)
Resolutions 18/18 and 36/28 Enhancement of technical cooperation and capacity-building in the field of human rights	Annual thematic panel discussion on technical cooperation in the promotion and protection of human rights on the theme "Human rights and the Sustainable Development Goals: enhancing human rights technical cooperation and capacity-building to contribute to the effective and inclusive implementation of the 2030 Agenda for Sustainable Development"